

**COPY OF PAPERS
ORIGINALLY FILED.**

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: James A. Billmaier, Donald P. De Leva, and Robert E. Novak	Examiner: not yet known
Serial No.: 09/918,610	Art Unit: 2611
Filed: July 30, 2001	Atty. Docket No.: 10003.000300 (digeo 132)
Title: System and Method For Using User-Specific Information To Configure and Enable Functions In Remote Control, Broadcast and Interactive Systems	10003.000300 (digeo 132) 10003.000300 (digeo 132) 10003.000300 (digeo 132) 10003.000300 (digeo 132) 10003.000300 (digeo 132) 10003.000300 (digeo 132)

BOX MISSING PARTS
Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS
OF NONPROVISIONAL APPLICATION

Sir:

In response to the Notice to File Missing Parts of
Nonprovisional Application dated September 6, 2001 for the
above-identified patent application,

Enclosed are the following:

- A copy of the Notice to File Missing Parts of
Nonprovisional Application;
- An original, signed Declaration;

A Revocation of Power of Attorney or
Authorization of Agent;

A Power of Attorney or Authorization of Agent;

Payment in the amount of \$1,409 to cover
payment for the surcharge and other fees (\$1,299) and
payment for a one-month extension of time fee for the
response (\$110);

Corrected Drawings;

Letter to Official draftsperson;

Submission Of Deficiency Payment Under 37 C.F.R. 1.28

Applicants respectfully request that the previous
erroneous payment of a small entity fee for the above-
referenced application be excused.

In compliance with the requirements of 37 C.F.R.
1.28(c)(1) and (c)(2), Applicants submit herewith the
following: (1) payment of the deficiency owed as a result of
the previous erroneous payment of small entity fees, and (2)
an itemization of the total deficiency payment.

Calculation of the deficiency owed:

Applicants submit herewith payment in the amount of \$1,169.00, which is the total deficiency payment owed, in accordance with 37 C.F.R. 1.28(c)(2)(i).

Itemization of the deficiency payment:

Applicants list below an itemization of the total deficiency payment in accordance with 37 C.F.R. 1.28(c)(2)(ii).

(A) Each particular type of fee that was erroneously paid as a small entity, along with the current fee amount for a non-small entity:

(1) Fee amount for a utility application basic filing fee that was erroneously paid as a small entity: \$355.00. Current fee amount for a non-small entity utility application basic filing fee: \$740.00.

(2) Fee amount for 68 total claims (48 claims in excess of 20) that was erroneously paid as a small entity: \$432. Current fee amount for a non-small entity for 68 total claims: \$864.

(3) Fee amount for 11 independent claims (8 claims in excess of 3) that was erroneously paid as a small entity: \$320. Current fee amount for a non-small entity for 11 independent claims: \$672.

(B) The small entity fee actually paid and when:

\$1107.00 paid on July 30, 2001.

(C) The deficiency owed amount (for each fee erroneously paid):

(1) Deficiency owed amount for the utility application basic filing fee: \$385.

(2) Deficiency owed amount for 68 total claims: \$432.

(3) Deficiency owed amount for 11 independent claims: \$352.

(D) The total deficiency payment owed, which is the sum or total of the individual deficiency owed amounts set forth above in (C): \$1,169.00.

In accordance with 37 C.F.R. 1.28(c), Applicants further assert that status as a small entity was established in good faith and fees as small entity were paid in good faith, and it was later discovered that such status as a small entity was established in error.

Applicant hereby petitions for a one-month extension of time within which to reply to the Notice To File Missing Parts mailed on September 6, 2001. Enclosed herewith is the payment of \$110 for the extension fee. If an additional

extension of time is required, please consider this a petition therefore. If any additional fee is required, the Commissioner is hereby authorized to charge Deposit Account No. 50-2030.

If the Examiner has any questions or needs additional information, the Examiner is invited to contact the undersigned attorney at (650) 691-2030.

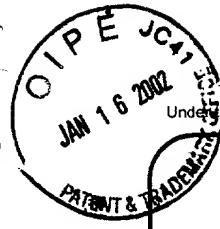
Dated: November 20, 2001

Respectfully submitted,
JAMES A. BILLMAIER, et al.

By: Arnold M. de Guzman
Arnold M. de Guzman
Reg. No. 39,955
DEGUZMAN OKAMOTO & BENEDICTO LLP
P.O. Box 51900
Palo Alto, California 94303
(650) 691-2030
(650) 691-2032 (FAX)

Enclosure(s)

CERTIFICATE OF MAILING			
<p>I hereby certify that this correspondence, including the enclosures identified herein, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on the date shown below. If the Express Mail Mailing Number is filled in below, then this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service pursuant to 37 CFR 1.10.</p>			
Signature:	<u>Arnold M. de Guzman</u>		
Typed or Printed Name:	Arnold M. de Guzman	Dated:	Nov. 20, 2001
Express Mail Mailing Number (optional):			



FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 1409.00)

Complete if Known	
Application Number	09/918,610
Filing Date	July 30, 2001
First Named Inventor	James A. Billmaier
Examiner Name	not yet known
Group / Art Unit	2611
Attorney Docket No.	10003.000300 (diao 132)

METHOD OF PAYMENT (check one)				FEE CALCULATION (continued)			
1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:				3. ADDITIONAL FEES			
Deposit Account Number 50-2030				Large Entity Fee Code	Fee (\$)	Small Entity Fee Code	Fee (\$)
Deposit Account Name deGuzman Okamoto & Benedicto, LLP				105	130	205	65
<input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17				127	50	227	25
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27				139	130	139	130
2. <input checked="" type="checkbox"/> Payment Enclosed:				147	2,520	147	2,520
<input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other				112	920*	112	920*
FEE CALCULATION							
1. BASIC FILING FEE							
Large Entity Fee Code	Fee (\$)	Small Entity Fee Code	Fee (\$)	Fee Description			
101	740	201	370	Utility filing fee			
106	330	206	165	Design filing fee			
107	510	207	255	Plant filing fee			
108	740	208	370	Reissue filing fee			
114	160	214	80	Provisional filing fee			
SUBTOTAL (1)				(\$ 0)			
2. EXTRA CLAIM FEES							
Total Claims	-20	Extra Claims	Fee from below	Fee Paid			
Independent Claims							
Multiple Dependent	-3	0	24	0			
		X					
SUBTOTAL (2)				(\$ 0)			
**or number previously paid, if greater; For Reissues, see above							
3. ADDITIONAL FEES							
Large Entity Fee Code	Fee (\$)	Small Entity Fee Code	Fee (\$)	Fee Description			
103	18	203	9	Claims in excess of 20			
102	84	202	42	Independent claims in excess of 3			
104	280	204	140	Multiple dependent claim, if not paid			
109	84	209	42	** Reissue independent claims over original patent			
110	18	210	9	** Reissue claims in excess of 20 and over original patent			
SUBTOTAL (2)				(\$ 0)			
Other fee (specify) <u>Deficiency payment</u> 1169							
*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$ 1409)							

SUBMITTED BY						Complete (if applicable)
Name (Print/Type)	Arnold M. deGuzman	Registration No. Attorney/Agent)	39,955	Telephone	650-691-2030	
Signature				Date	November 20, 2001	

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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Section

Please type a plus sign (+) inside this box →

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	09/918,610
		Filing Date	July 30, 2001
		First Named Inventor	James A. Billmaier
		Group Art Unit	2611
		Examiner Name	not yet known
Total Number of Pages in This Submission	35	Attorney Docket Number	10003.000300 (digeo 132)

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ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form (in duplicate)	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input checked="" type="checkbox"/> Corrected Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input checked="" type="checkbox"/> A copy of the Notice to File Missing Parts	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input checked="" type="checkbox"/> Signed Declaration	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input checked="" type="checkbox"/> Power of Attorney & Revocation of Power of Attorney	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input checked="" type="checkbox"/> Letter to the Official Draftsperson	Return receipt postcard; Declaration (supplemental sheet)
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	
<input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Arnold M. deGuzman, Reg. No. 39,955 DEGUZMAN OKAMOTO & BENEDICTO, LLP
Signature	
Date	November 20, 2001

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:

Typed or printed name	Arnold M. deGuzman	Date	Nov. 20, 2001
Signature			

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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In Re Application of: James A. Billmaier, Donald P. De Leva, and Robert E. Novak	Examiner: not yet known
Serial No.: 09/918,610	Art Unit: 2611
Filed: July 30, 2001	Atty. Docket No.: 10003.000300 (digeo 132)
Title: System and Method For Using User-Specific Information To Configure and Enable Functions In Remote Control, Broadcast and Interactive Systems	

Commissioner for Patents
Washington, D.C. 20231

LETTER TO THE OFFICIAL DRAFTSPERSON
(Request To Substitute Drawings)

Sir:

Subject to the approval of the Primary Examiner in the above-entitled patent application, please substitute the enclosed fourteen (14) sheets of drawings, containing amended Figures 1, 2A, 2B, 3, 4, 5, 6, 7, 8A, 8B, 8C, 9, 10A, and 10B, for the fourteen (14) sheets of informal drawings containing Figures 1, 2A, 2B, 3, 4, 5, 6, 7, 8A, 8B, 8C, 9, 10A, and 10B as originally filed or as amended.

Approval is requested to amend Figures 1, 2A, 2B, 3, 4, 5, 6, 7, 8A, 8B, 8C, 9, 10A, and 10B as follows. Figures 1, 2A, 2B, 3, 4, 5, 6, 7, 8A, 8B, 8C, 9, 10A, and 10B are being amended so that each drawing sheet has the appropriate margins under 3 CFR section 1.84(g).

PATENT



PAPERS
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REMARKS

Applicants respectfully submit that the requested drawing amendment is consistent with the corresponding material in the specification and does not add any new matter to the application.

Should the Examiner have any questions concerning this request, the Examiner is invited to call the undersigned attorney at the number shown below.

Dated: November 20, 2001

Respectfully submitted,
JAMES A. BILLMAIER, et al.

By: Arnold M. de Guzman
Arnold M. de Guzman
Reg. No. 39,955
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Signature:	<u>Arnold M. de Guzman</u>		
Typed or Printed Name:	Arnold M. de Guzman	Dated:	11/20/01
Express Mail Mailing Number (optional):			